

HOUSE BILL 534

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2004 Regular Session
(41r0093)

ENROLLED BILL

-- Economic Matters/Education, Health, and Environmental Affairs --

Introduced by **Chairman, Economic Matters Committee (By Request -
Departmental - Labor, Licensing and Regulation)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Commissioner of Labor and Industry - Boiler and Pressure Vessel Safety -**
3 **Authority and Inspection Intervals**

4 FOR the purpose of exempting certain model steam boilers from ~~the Boiler and~~
5 ~~Pressure Vessel Safety Act~~ certain inspection requirements; requiring that
6 certain time intervals for certificate inspections of boilers and pressure vessels
7 be set by regulation and certain provisions of law; altering the period of validity
8 for a certain certificate; requiring that a certain certificate specify a certain
9 inspection interval; requiring the chief boiler inspector to issue a certain
10 certificate to an owner of a boiler or pressure vessel under certain conditions;
11 requiring the Department of Labor, Licensing, and Regulation to make a certain
12 report on or before a certain date; defining certain terms; and generally relating
13 to boiler and pressure vessel safety.

14 BY repealing and reenacting, without amendments,
15 Article - Public Safety

1 Section 12-901(a) and ~~12-911(a)~~ 12-903(b)(9) and (10)
 2 Annotated Code of Maryland
 3 (2003 Volume)

4 ~~BY repealing~~

5 ~~Article - Public Safety~~
 6 ~~Section 12-911(b)~~
 7 ~~Annotated Code of Maryland~~
 8 ~~(2003 Volume)~~

9 BY adding to

10 Article - Public Safety
 11 Section 12-901(i), ~~12-903(b)(11), and 12-911(b)~~
 12 Annotated Code of Maryland
 13 (2003 Volume)

14 BY repealing and reenacting, with amendments,

15 Article - Public Safety
 16 Section 12-901(i) through (k), ~~12-903(b)(9) and (10), and 12-909(d)~~ 12-909(d),
 17 and 12-911
 18 Annotated Code of Maryland
 19 (2003 Volume)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Public Safety**

23 12-901.

24 (a) In this subtitle the following words have the meanings indicated.

25 (I) "MODEL STEAM BOILER" MEANS A BOILER THAT IS:

26 (1) INDIVIDUALLY FABRICATED FOR NONCOMMERCIAL USE;

27 (2) USED PRIMARILY FOR DEMONSTRATION, EXHIBITION, OR
 28 EDUCATIONAL PURPOSES; AND

29 (3) NOT FOR PROFIT.

30 [(i)] (J) "Power boiler" means a boiler in which steam or other vapor is
 31 generated at a pressure of more than 15 psig.

32 [(j)] (K) (1) "Pressure vessel" means a vessel in which the pressure is
 33 obtained:

- 1 (i) from an external source; or
- 2 (ii) by the application of heat from:
- 3 1. an indirect source; or
- 4 2. a direct source other than a boiler.

5 (2) "Pressure vessel" does not include a pipe, piping component, or
6 structure whose primary function is to transport fluids.

7 [(k)] (L) "Secretary" means the Secretary of Labor, Licensing, and Regulation.
8 12-903.

9 (b) This subtitle does not apply to:

10 (9) a mechanical device of any of the following types:

- 11 (i) a pump;
- 12 (ii) a compressor;
- 13 (iii) a turbine;
- 14 (iv) a generator; or
- 15 (v) a hydraulic or pneumatic cylinder; {or}

16 (10) the water-containing part of an air-conditioning or refrigeration
17 system condenser or evaporator:

- 18 (i) that uses halocarbon refrigerant;
- 19 (ii) that is constructed in accordance with the requirements of
20 ANSI/ASHRAE Standard 15 (the safety code for mechanical refrigeration) in effect at
21 the time of construction; and
- 22 (iii) if neither of the following limitations is exceeded:
- 23 1. a design pressure of 300 psig; and
- 24 2. a design temperature of 210 degrees Fahrenheit; ~~OR~~

25 ~~(11) MODEL STEAM BOILERS.~~

26 12-909.

27 (d) (1) Except for boilers and pressure vessels exempt under subsection (a)
28 of this section or § 12-903 of this subtitle, each boiler and each pressure vessel that is
29 used or proposed to be used in the State shall be inspected thoroughly as to its
30 construction, installation, and condition in accordance with this subsection.

- 1 (2) A certificate inspection required under this subsection shall be:
- 2 (i) an internal inspection if construction allows; or
- 3 (ii) an inspection that is as complete as possible.
- 4 (3) (i) ~~A~~ EXCEPT FOR MODEL STEAM BOILERS, A power boiler or a high
5 pressure, high temperature water boiler shall:
- 6 1. receive a certificate inspection annually; and
- 7 2. be externally inspected annually while under pressure, if
8 possible.
- 9 (ii) The Board may extend to 2 years the interval between
10 certificate inspections of a power boiler if:
- 11 1. the power boiler has internal continuous water treatment
12 under the general supervision of a professional engineer who has experience in the
13 treatment of boiler water; and
- 14 2. the owner or user of the power boiler keeps available, for
15 examination by the Chief Boiler Inspector or by a deputy boiler inspector or special
16 inspector, accurate records that show:
- 17 A. the date, time, and reason that the power boiler is out of
18 service; and
- 19 B. a chemical and physical analysis of samples of the boiler
20 water taken at regular intervals of not more than 48 hours of operation that
21 adequately show the condition of the boiler water and any elements or characteristics
22 of the boiler water that are capable of producing corrosion or other deterioration of the
23 power boiler or its parts.
- 24 ~~(4) A heating boiler shall receive a certificate inspection biennially.~~
- 25 ~~(5) (i) A pressure vessel that is subject to internal corrosion shall~~
26 ~~receive a certificate inspection biennially.~~
- 27 ~~(ii) A pressure vessel that is not subject to internal corrosion shall~~
28 ~~receive a certificate inspection at intervals set by the Board.~~
- 29 ~~(iii) Internal inspection is not required of a pressure vessel if:~~
- 30 ~~1. the contents of the pressure vessel are known to be~~
31 ~~noncorrosive to the material of which the shell, heads, or fittings are constructed:~~
- 32 A. ~~from the chemical composition of the contents; or~~
- 33 B. ~~from evidence that the contents are adequately treated~~
34 ~~with a corrosion inhibitor; and~~

1 (2) If the boiler or pressure vessel is not located in a building, the
2 certificate shall be posted in a location convenient to the boiler or pressure vessel that
3 was inspected or in any place where the certificate will be accessible to interested
4 parties.

5 [(d)] (E) (1) The Chief Boiler Inspector or an authorized deputy boiler
6 inspector may suspend a certificate at any time when, in the opinion of the inspector,
7 the boiler or pressure vessel for which the certificate was issued:

8 (i) cannot be operated without danger to public safety; or

9 (ii) is found not to comply with regulations adopted under this
10 subtitle.

11 (2) The suspension of a certificate continues until:

12 (i) the boiler or pressure vessel is made to conform to the
13 regulations adopted under this subtitle; and

14 (ii) the certificate is reinstated.

15 [(e)] (F) If a boiler or pressure vessel for which a certificate was issued based
16 on the report of a special inspector ceases to be insured by an authorized insurer, the
17 certificate is invalid.

18 SECTION 2. AND BE IT FURTHER ENACTED, That, subject to § 2-1246 of
19 the State Government Article, the Department of Labor, Licensing, and Regulation
20 shall report to the House Economic Matters Committee and the Senate Education,
21 Health, and Environmental Affairs Committee on or before December 1, 2004, on its
22 progress in reducing the number of overdue boiler inspections.

23 ~~SECTION 2. 3.~~ AND BE IT FURTHER ENACTED, That this Act shall take
24 effect July 1, 2004.